

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68378 of 2024

Arising Out of PS. Case No.-108 Year-2022 Thana- TARIYANI CHAPRA PS District-
Sheohar

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Hari Shankar Rai @ Shankar Rai Son of Late Ganeshi Rai Village
-Vishwambharpur, PS -Tariyani, Dist -Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr.Ramchandra Sahni

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 20-09-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with
Tariyani Chhapra P.S. Case No. 108 of 2022, dated 25.11.2022,
instituted under Sections 363, 366(A)/34 of the Indian Penal Code.

3. The main allegation against co-accused, Chotu Kumar,
is that he abducted the minor daughter of the informant with a view
to sell.

4. Learned counsel for the petitioner submits that the
petitioner is the brother of said Chotu Kumar. It is submitted that
the specific allegation has been levelled against the co-accused,
namely, Chotu Kumar. It is next submitted that after recovery of
the victim girl, her statement was recorded under Section 164
Cr.P.C. which is Annexdure-2 of the bail application wherein the
victim girl has not levelled any specific allegation against the



petitioner rather allegation against the said Chotu Kumar. It is further submitted that similarly situated other accused persons have been granted bail vide order dated 07.11.2023, passed in Cr. Misc. No. 65562 of 2023 by this Court. Petitioner has no criminal antecedent.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, Ist Class, Sheohar, in connection with Tariyani Chhapra P.S. Case No. 108 of 2022, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure, 1973.

7. The applications stands allowed.

(Khatim Reza, J)

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